

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA – WESTERN DIVISION**

JOHN SIMONIAN,

Plaintiff,

v.

OLD DOMINION FREIGHT LINE, INC.
a Virginia Corporation; and DOES 1 to 50,
inclusive,

Defendants.

Case No. 2:17-cv-02832 MWF (JCx)

Assigned to:
District Judge Michael W. Fitzgerald
Magistrate Judge Jacqueline Choolijian

**ORDER TO DISMISS CASE WITH
PREJUDICE**

State Action Filed: March 6, 2017
Trial Date: November 13, 2018

ORDER

IT IS SO ORDERED.

It is hereby ordered that Case No. 2:17-cv-02832 MWF (JCx) is dismissed with prejudice.

DATED: October 18, 2017_____,
2017

A handwritten signature in black ink, appearing to read "Michael W. Fitzgerald". The signature is written in a cursive, flowing style.

HONORABLE MICHAEL W. FITZGERALD

PROOF OF SERVICE
Case No. 2:17-cv-02832 MWF (JCx)

John Simonian v. Old Dominion Freight Line, Inc.

I am and was at all times herein mentioned over the age of 18 years and not a party to the action in which this service is made. At all times herein mentioned I have been employed in the County of Orange in the office of a member of the bar of this court at whose direction the service was made. My business address is Park Tower, Suite 1500, 695 Town Center Drive, Costa Mesa, CA 92626.

On October 18, 2017, I served the following document(s):

[PROPOSED] ORDER TO DISMISS CASE WITH PREJUDICE

by placing ☐ (the original) ☒ (a true copy thereof) in a sealed envelope addressed as stated on the attached service list.

☒ with the Clerk of the United States District Court of Central District of California, using the CM/ECF System. The Court's CM/ECF System will send an e-mail notification of the foregoing filing to the following parties and counsel of record who are registered with the Court's CM/ECF System:

☐ **BY MAIL:** I placed the envelope for collection and mailing, following our ordinary business practices. I am readily familiar with the practice of Ogletree, Deakins, Nash, Smoak & Stewart P.C.'s practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service, in a sealed envelope with postage fully prepaid.

☐ (State) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

☒ (Federal) I declare that I am employed in the office of a member of the State Bar of this Court at whose direction the service was made. I declare under penalty of perjury under the laws of the United States of America that the above is true and correct.

☐ (Federal) I declare that I am a **member** of the State Bar of this Court. I declare under penalty of perjury under the laws of the United States of America that the above is true and correct.

Executed on October 18, 2017, at Costa Mesa, California.

Erin Montgomery
Type or Print Name

Signature

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SERVICE LIST

John Simonian v. Old Dominion Freight Line, Inc.

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